

## **SEMINOLE TRIBE OF FLORIDA**

**Location:** Hollywood, FL

**Area:** 98,500 acres: Big Cypress Reservation 52,338, Hollywood Reservation 497, Brighton Reservation 35,805, Immokalee Reservation 600, Tampa Reservation 39; Fort Pierce Reservation, plus other non-reservation parcels: the Coconut Creek Property, and the Yeehaw Junction Property

**Populations:** Approximately 2,600 members

**Activities:** Rural areas; cattle, citrus, vegetables, cultural, residential.  
Urban areas; residential, retail sales, gaming, small businesses, cultural.

The Seminole Tribe of Florida has about 2,600 members, living on five reservations across the Florida peninsula at Hollywood (formerly Dania), Big Cypress, Brighton, Immokalee, and Tampa.

The Seminole Indians of Florida were unique among the southeastern tribes in their bitter resistance to the intransigent removal policies of the federal government during the nineteenth century. There were three Seminole Wars between 1818 and 1858. The second Seminole war (1835-1842) cost the federal government over \$40 million and 1,500 casualties. Many of the Seminoles eluded capture and relocation to Oklahoma, and the U.S. Army declared an end to the war in 1858.

With the coming of the Civil war, those Seminoles who eluded capture, numbering only about one hundred, were no longer of concern to the military. Because of their isolation, the Indians in Florida played no role in the national conflict of the 1860s. Although the Seminoles were cut off from the main body of their people, they maintained their traditional culture in spite of having to adapt to meet the demands of their lifestyle. They divided into bands based upon language: two spoke Miccosukee and the other Creek. Each had its own council of elders and a chief, as the Seminole towns did prior to wars. The bands retained unity through a common religious observance of many southeastern Indians, known as the Green Corn Dance.

In the 1950s, faced with the threat of termination, the Seminoles wrote a constitution and charter and voted to formally organize as the Seminole Tribe of Florida. In 1957, the Seminole Tribe of Florida became a federally recognized tribe and reorganized itself under a constitution, according to the terms of the Indian Reorganization Act of 1934.

## **SEMINOLE PROJECT ACTIVITIES**

The following Environmental Programs will be examined to determine what is needed for Tribal capacity building in order to assume delegation:

- C NPDES (401 Certification and 402 Permitting)
- C NPDES Storm Water for Industrial/Commercial Site General Permit Assistance
- C Wetlands Water Quality Monitoring Program
- C Monthly Surface Water Quality Sampling Program
- C Well Head Protection Program

Training for Tribal members in each of the program areas will be developed to achieve:

- C Legal and managerial infrastructure and capacity
- C Technical skills and capability

Develop a regulatory framework and amend existing Tribal Code in order to implement programs for which delegation is being assumed and will incorporate the Well Head Protection criteria into the Tribal Water Code ordinance.

Development and implementation of a QA/QC and a sampling training program for the Tribe's Utilities Department and to assist them in developing a customized database management system for their specific needs.

The Tribe will begin the process of setting water quality standards (WQS) for surface waters on the Hollywood, Immokalee and Tampa Reservations. The same protocols that were used in setting water quality standards for Big Cypress and Brighton Reservations will be used.

Research and catalogue federal guidelines and EPA's programs.

Continue implementing the department 's QA/QC practices and updating/rewriting the current Quality Assurance Policies and Procedures (QAPP) that the Water Resource Management are following.

Continue to provide on-site training to Tribal water quality samplers, tracking samples for analysis, and develop data base for policy decisions.

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## **SEMINOLE PROGRAM SUMMARY**

### **Air**

Presently the Tribe has initiated training of two Tribal employees for the future implementation of an Air Quality Program for the Tribe's lands. It is anticipated that monitoring will begin on the Big Cypress and Brighton Reservations even though these rural areas have few, if any pollutant emission sources. The urban reservations, Hollywood and Tampa are encompassed by other local and state entities and as such, share the same concerns for air quality as these municipalities.

General air quality concerns include high volume of traffic on Highway 441 and the the turnpike in the Hollywood Reservation, and indoor air at gaming facilities located in the Immokalee, Brighton, Hollywood and Tampa Reservations.

### **Drinking Water**

The Tribe operates three public water systems: Big Cypress Reservation, Brighton Reservation, Tampa Reservation.

The Seminole Utilities Department operates the Big Cypress and Brighton community water systems, and the Tampa system is operated by contractors. Seminole Industries, a private company, provides water to some of the Hollywood residents, with the remainder getting water from the City of Hollywood. The Immokalee Water and Sewer District supplies water to the reservation at Immokalee. Future plans call for a Tribal water treatment and distribution system at Immokalee and at Fort Pierce, and new water treatment facilities at Brighton and Big Cypress.

### **Underground Injection Control**

EPA and the Seminoles are currently working in partnership to implement a Tribal UIC program that will identify all UIC wells located on the reservation, establish an inventory of these wells, and provide compliance assistance to the Tribe. The Tribe has identified a contact person for this effort and continued to provide input to EPA.

### **Groundwater**

The Region is currently working with the Seminoles to implement a Well Head Protection Program for each of the sites. Work is being performed through an Interagency Agreement with the Southeastern Office of the Indian Health Service. For FY2000, it is anticipated that funding will be provided for a Source Water Assessment Program.

### **NPDES**

No NPDES permits are required for the present treatment systems. At Big Cypress and Brighton, treated wastewater is discharged to polishing ponds, which allow the water to percolate and evaporate. The wastewater collected in Hollywood goes to Seminole Industries as well as to the City of Hollywood. In Immokalee, the sewage is collected by the Immokalee Water and Sewer District. The Tampa sewage enters the City of Tampa collection system.

### **Water Quality Standards**

A water rights and land dispute with the State of Florida was resolved with the Seminole Settlement Agreement in 1987. The Water Rights Compact 1) commits the Tribe to working within the South Florida Water Management Districts' rules and Florida Statutes, 2) creates water rights for the Tribes, 3) provides a mechanism for conflict resolutions, and 4) allows the Tribe to develop on its lands without participating in the permitting process of the District. Both the Tribe and the District agree to cooperate on issues dealing with water quality and quantity.

The Seminole Tribal Council has delegated authority to the Seminole Water Commission to issue rules to carry out Tribal law and Federal law. The Tribal Water Code consists of two subtitles: Subtitle A-Beneficial Use and Conservation of Water Resources and Subtitle B-Water Quality Code. The Commission issues rules establishing procedures to carry out the Tribal Water Code, the Water Rights Compact, and the Criteria Manual. Presently, the Water Code has been amended to incorporate changes in the language between these documents that was inconsistent with this code. Further amendments may be made in the future to strengthen its impact on regulating Tribal Lands providing for water quality protection. A water quality monitoring program has been established since 1989 to routinely sample the water conveyance systems, surface and groundwater as well as wetlands within all reservations.

Water Quality Standards for the Big Cypress Reservation were approved by the Seminole Water Commission and the adopted as law by the Tribal Council in 1996. The Use Attainability Analysis has been reviewed by EPA and the Standards have been approved. The Brighton Reservation is under the same Water Quality Standards process and received EPA approval in December 1998. Criteria protecting water quality on the more urban reservations have not yet been reviewed in this process. The EPA NPDES storm water permit program is administered and processed by the WRMD for Tribal activities.

### **Nonpoint Source**

A Non-Point Source Pilot Watershed Project was conducted on the Brighton and Tampa Seminole Indian Reservations. The Brighton Project consisted of determining the effectiveness of various Best Management Practices (BMPs) on a series of five cattle pastures. The Tampa project is designed to use the natural vegetation of the area for the storage of storm water and the natural attenuation of nutrients. As this facility is located in a urban area, it is highly desirable to retain as much of the natural areas and wetlands as possible. There is also a proposed research design for a project in the Big Cypress Reservation to evaluate the different vegetative types in their ability to uptake Phosphorus within surface waters.

### **Hazardous Waste**

There are no hazardous waste treatment, storage or disposal facilities (TSDFs) on Seminole Reservation lands. There are several hazardous waste generators, CESQGs

and SQGs, on the Hollywood Reservation. At the request of the Tribe in FY-99, Region 4's RCRA Enforcement and Compliance Branch performed inspections of four facilities (three on the Hollywood Reservation and one just off the Reservation) that were/are leased by non-Tribal members. No major violations were identified during the inspections.

### **Solid Waste**

The Seminole Tribe has never had a Subtitle D municipal solid waste landfill (MSWLF) on Reservation lands. There were several open dumps on the Reservations that were identified by the Indian Health Service (IHS) inventory in 1996. A clean-up/remediation of these dumps has begun and is near completion, and there is no known illegal dumping taking place on the Reservations. The Seminole Utilities Department is currently responsible for solid waste handling on four of the five Seminole Reservations: Hollywood, Big Cypress, Brighton and Immokalee. Waste is picked up a minimum of twice a week at Hollywood, Big Cypress and Brighton. A private hauling company handles solid waste at the other Reservation (Tampa), under contract with the businesses on that Reservation. Curbside and drop-off recycling programs have been established on the Reservations and include the recycling of aluminum cans, plastics, cardboard and yard wastes. A transfer station is in operation in Brighton at this time, and separation of aluminum cans, plastics, cardboard, 12-volt batteries, used oil, steel/white metal, tires, wood and yard waste takes place there. A contractor picks up the roll-off bins used for garbage at the Brighton transfer station. A composting site has been established in Brighton adjacent to the transfer station. This facility will utilize yard waste materials from the Reservations and available animal wastes to subsequently provide a useable end product for defined markets such as agricultural and horticultural businesses on Tribal lands. The Tribe has plans in place to establish another transfer station, this one on the Big Cypress Reservation, in the near future. The Tribe plans to continue activities that successfully promote development of an integrated solid waste management program, including educational and outreach initiatives.

### **Underground Storage Tank (UST)**

Presently there are no known Underground Storage Tanks located on the Tribe's reservation lands. The last known tanks were located at Stonebeads in the Brighton Seminole Indian Reservation and were removed.

The former Shell site on the corner of Route 441 and Stirling in the Hollywood Reservation is under the States' Early Detection Incentive (EDI) program and is following a "Monitoring Only Program." There are no tanks in place at this location. Another site adjacent to Hollywood, Oasis Truck Stop on Route 441 is also currently under the States EDI program and still has underground tanks in place.

EPA will be working with the Tribe in near future to ascertain the compliance status of all USTs located on the reservation in relation to the December 22, 1998 deadline.

### **CERCLA**

The former BIA Roads and Land-Use facility in the Big Cypress was given a "No Further

Action" in March, 1998. Another old BIA Roads Facility in the Brighton Reservation has been remediated by removal and thermal treatment of contaminated soils. This site is under a monitoring program and does not pose a threat to potable water supplies. There are presently no other active CERCLA sites on the Reservations other than the ones under the State clean-up programs. The Tribe has a Cooperative Agreement From the Brownsfields program to fund a Tribal position for oversight and coordination of targeted Brownsfields Assessments on the Reservation.

### **Emergency Response**

Indian Health Services is currently outlining an Emergency Response Plan guideline for the various Departments within the Tribe. The Seminole Utilities has completed a manual that covers all aspects of hurricane planning and response for the Tribe's use. The WRMD is compiling a list of Aboveground Storage Tank (AGST) facilities needing spill prevention plans.

### **Toxics**

There is not a current Pesticide Program on the Reservations, although the Water Resource Management Staff are trained applicators with instructions provided for by the USA COE an certification by the State of Florida. There is a storage facility and wash down area on the Brighton Reservation and another is being planned for the Big Cypress Reservation.

### **NEPA**

NEPA matters are handled as necessary within the Water Resource Management Department.

### **Pollution Prevention**

The Tribe conducts source reduction throughout its regular water and waste water programs. The Tribe also practices source reduction in solid waste programs which consists of wet garbage vehicles, batteries, tires and white goods removal. Community action includes household hazardous wastes collections for the Hollywood Reservation and in the future for the more rural Reservations. There is also periodic planned community removals of cars, abandoned mobile homes, tires etc. The Tribe has installed a Solid Waste Transfer Station on the Brighton Reservation and in the future is going to install one on the Big Cypress Reservation as well. These are collection points for wet garbage, paper, and other items. Periodic collections of used oils, filters etc. are made on both the Big Cypress and Brighton Reservations and all efforts are made to reduce the potential for spills to occur. Community activities include recycling and household hazardous waste collection for Hollywood, Big Cypress and Brighton at this time, with Immokalee and Tampa expected to do so in 12 months, and with Ft. Pierce participating eventually.

### **Environmental Audit**

Under funds that may be available through the Brownfields Redevelopment Program, the Tribe has proposed evaluating its environmental regulatory infrastructure and capabilities.

This funding is currently being held while standard form language issues are being worked out. The Regional Indian Coordinator schedules a visit to the reservation annually or as requested by the Tribe.

**Problem Areas**

None currently found to be acute or chronic to human health and the natural resources of the Tribe.

**Action Items**

Grants for utilities improvement and general assistance to maintain monitoring, analysis, response and compliance to applicable Federal and Tribal environmental regulations.